

**4817. Adulteration and misbranding of gelatin pills, acetanilide tablets, acetphenetidin tablets, and caffeine tablets. U. S. v. Norwich Pharmacal Co., a corporation. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 5382. I. S. Nos. 20934-d, 20937-d, 20938-d, 20943-d.)**

On March 10, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Norwich Pharmacal Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on April 24, 1912, from the State of Illinois into the State of Indiana, of quantities of gelatin pills, acetanilide tablets, acetphenetidin tablets, and caffeine tablets, which were adulterated and misbranded.

Analysis of a sample of the gelatin pills by the Bureau of Chemistry of this department showed the following results:

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|--|-------|
| Morphine sulphate (grains per pill)----- | 0.027 |
| Quinine sulphate (grains per pill)-----  | 1.62  |

Adulteration of the article was alleged in the information for the reason that when it was so shipped as aforesaid the bottle containing it was labeled, marked, and branded as follows: "500 black gelatin pills—Coated—Neuralgic, N. F. (Dr. Gross). Each pill contains: Morphine Sulphate 1-20 gr. Quinine sulphate 2 grs. Acid Arsenous 1-20 gr. Ext-Aconite  $\frac{1}{2}$  gr. Strychnine 1-30 gr. Dose—one every 3 hours as required. 121104 Guaranteed by The Norwich Pharmacal Company Manufacturing Pharmacists, Norwich, New York. Under the Food and Drugs Act, June 30th, 1906. Serial No. 126 (trade mark)," and the said drug was sold under the following professed standard of strength, to wit, "Each pill contains: Morphine Sulphate 1-20 gr. Quinine sulphate 2 grs.," whereas, in truth and in fact, the standard of strength of the article fell below the professed standard of strength under which it was sold, in that it did not contain 1/20 grain morphine sulphate per pill and 2 grains quinine sulphate per pill, but contained a much less amount, to wit, 0.027 grain morphine sulphate per pill and 1.62 grains quinine sulphate per pill.

Misbranding of the article was alleged for the reason that said statement, to wit, "Each pill contains: Morphine Sulphate 1-20 gr. Quinine sulphate 2 grs.," was false and misleading in that it purported to state that the article contained 1/20 grain of morphine sulphate and 2 grains of quinine sulphate per pill, whereas, in truth and in fact, the article did not contain 1/20 grain of morphine sulphate and 2 grains of quinine sulphate per pill, but contained a much less amount, to wit, 0.027 grain of morphine sulphate per pill and 1.62 grains of quinine sulphate per pill.

Analyses of samples of the acetanilide tablets by the said Bureau of Chemistry showed the following results:

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|---|------|
| Caffeine, U. S. P. (grains per tablet)----- | 0.42 |
| Acetanilide (grains per tablet)-----        | 2.69 |
| Shortage of caffeine (per cent)-----        | 16.0 |
| Shortage of acetanilide (per cent)-----     | 23.0 |

Adulteration of this article was alleged for the reason that when it was so shipped as aforesaid, the bottle containing it was labeled, marked, and branded as follows, to wit: "500 Plain Compressed Tablet, Acetanilide Compound (Dr. Aulde) Each tablet contains: Acetanilide  $3\frac{1}{2}$  grs. Caffeine  $\frac{1}{2}$  gr. Sodium Bicarbonate 1 gr. Dose—one or two every 3 or 4 hrs. as indicated. 327-999-282—Guaranteed by the Norwich Pharmacal Company, 310—Manufacturing Pharmacists Norwich, New York, under the Food & Drugs Act, June 30th, 1906,

Serial No. 126," and the said drug product was sold under the following professed standard of strength, to wit, "Each tablet contains: Acetanilide  $3\frac{1}{2}$  grs. Caffeine  $\frac{1}{2}$  gr.," whereas, in truth and in fact, the standard of strength of the article fell below the professed standard of strength under which it was sold in that it did not contain  $3\frac{1}{2}$  grains of acetanilide per tablet and  $\frac{1}{2}$  grain of caffeine per tablet, but contained a much less amount, to wit, 2.69 grains of acetanilide per tablet and 0.42 grain of caffeine per tablet.

Misbranding of the article was alleged for the reason that said statement, to wit, "Each tablet contains: Acetanilide  $3\frac{1}{2}$  grs. Caffeine  $\frac{1}{2}$  gr.," was false and misleading in that said statement purported to state that the article contained  $3\frac{1}{2}$  grains of acetanilide and  $\frac{1}{2}$  grain of caffeine per tablet, whereas, in truth and in fact, it did not contain  $3\frac{1}{2}$  grains of acetanilide per tablet and  $\frac{1}{2}$  grain of caffeine per tablet, but contained a much less amount, to wit, 2.69 grains of acetanilide per tablet and 0.42 grain of caffeine per tablet.

Analysis of a sample of the acetphenetidin tablets by said Bureau of Chemistry showed the following results:

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|---|------|
| Acetphenetidin (grains per tablet)----- | 1.55 |
| Shortage (average per cent)-----        | 22.5 |

Adulteration of this article was alleged for the reason that when it was so shipped as aforesaid, the bottle containing it was labeled, marked, and branded as follows, to wit: "500 Plain Compressed Tablets Acetphenetidin Each tablet represents: 2 Grs. 962 31510 Guaranty No. 126 Guaranteed under the Food and Drugs Act, June 30th, 1906. The Norwich Pharmacal Company Manufacturing Pharmacists Norwich, New York 605," and the said drug product was sold under the following professed standard of strength, to wit, "Tablets Acetphenetidin Each tablet represents: 2 Grs.," whereas, in truth and in fact, the standard of strength of the drug product fell below the professed standard of strength under which it was sold in that it did not contain 2 grains of acetphenetidin per tablet, but contained a much less amount, to wit, 1.55 grains of acetphenetidin per tablet.

Misbranding of the article was alleged for the reason that said statement, to wit, "Tablets Acetphenetidin Each tablet represents: 2 Grs.," was false and misleading in that said statement purported to state that the article contained 2 grains of acetphenetidin per tablet, whereas, in truth and in fact, it did not contain 2 grains of acetphenetidin per tablet, but did contain a much less amount, to wit, 1.55 grains of acetphenetidin per tablet.

Analysis of a sample of the caffeine tablets by said Bureau of Chemistry showed the following results:

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|--------------------------------------|-------|
| Caffeine (grains per tablet)-----    | 0.827 |
| Shortage of caffeine (per cent)----- | 17.3  |

Adulteration of this article was alleged for the reason that when it was so shipped as aforesaid the bottle containing it was labeled, marked, and branded as follows, to wit: "1000 Plain Tablet Triturates Caffeine Alkaloid. Each tablet represents: 1 Gr. 208 124124 Guaranty No. 126 Guaranteed under the Food and Drugs Act June 30th 1906. The Norwich Pharmacal Company Manufacturing Pharmacists Norwich, New York. (trade mark)" and the said drug product was sold under the following professed standard of strength, to wit: "Tablets Triturates Caffeine Alkaloid Each tablet represents: 1 Gr.," whereas, in truth and in fact, the standard of strength of the drug product fell below the professed standard of strength under which it was sold, in that it did not contain 1 grain of caffeine per tablet, but contained a much less amount, to wit, 0.827 grain of caffeine per tablet.

Misbranding was alleged for the reason that said statement, to wit, "Tablet Triturates Caffeine Alkaloid Each tablet represents: 1 Gr.", was false and misleading in that said statement purported to state that the article contained 1 grain of caffeine alkaloid per tablet, whereas, in truth and in fact, it did not contain 1 grain of caffeine alkaloid per tablet, but contained a much less amount, to wit, 0.827 grain of caffeine alkaloid per tablet.

On June 22, 1915, the defendant company entered a plea of guilty to the information, and on June 30, 1915, the court imposed a fine of \$100 and costs.

CARL VROOMAN,  
*Acting Secretary of Agriculture.*